

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff :

CASE NO. 1:07 CR 557

-vs-

HECTOR SANCHEZ-SOTO

Defendant :

ORDER ACCEPTING PLEA AND
JUDGMENT AND NOTICE OF
HEARING

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Kenneth S. McHargh regarding the change of plea hearing of Hector Sanchez-Soto which was referred to the Magistrate Judge with the consent of the parties.

On 7 November 2007, the government filed a one-count indictment against Hector Sanchez-Soto for illegal re-entry following deportation in violation of 8 U.S.C. § 1326. On 4 December 2007, a hearing was held in which Hector Sanchez-Soto entered a plea of not guilty before Magistrate Judge Kenneth S. McHargh. On 14 January 2008, Magistrate McHargh received Hector Sanchez-Soto's plea of guilty and issued a Report

and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered. Magistrate Judge McHargh filed his R&R on 23 January 2008.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Hector Sanchez-Soto is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea is approved.

Therefore, Hector Sanchez-Soto is adjudged guilty of Count One in violation of 8 U.S.C. § 1326.

Sentencing will be:

31 March 2008 at 3:30 p.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated: 3/14/2008


UNITED STATES DISTRICT JUDGE